

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In Re: James E. Miller, Jr.,
Debtor.

Chapter 13 Bankruptcy
Case No. 13-23446-pp

**STIPULATION RESOLVING TRUSTEE'S OBJECTION TO CONFIRMATION OF
DEBTOR'S CHAPTER 13 PLAN and TRUSTEE'S MOTION TO DISMISS**

An order for relief pursuant to 11 U.S.C. Chapter 13 having been entered in the case of the debtor named above and a subsequent Objection to Confirmation of Debtor's Chapter 13 Plan and a Motion to Dismiss this case pursuant to 11 U.S.C. § 1307(c) having been brought by the Trustee, the parties hereby stipulate and agree as follows:

1. The Trustee's Objection to Confirmation of Debtor' Chapter 13 plan shall be sustained.
2. The Trustee is allowed to withdraw the Motion to Dismiss upon conditions.
3. On or before November 15, 2013, the Debtor shall file:
 - a) amended Schedule A or B and C;
 - b) a modified Chapter 13 plan;
 - c) amended Schedules I and J;
 - d) an amended Statement of Financial Affairs to correct Line #2 and Line #9; and
 - e) add the non-filing spouse to the bankruptcy case, serve a copy of the Notice of Non-filing Spouse on all creditors and file a certificate evidencing said service on or before November 15, 2013.
4. On or before November 15, 2013, the Debtor shall provide to the Chapter 13 Trustee:
 - a) proof of value of the 2004 VW Phantom; and
 - b) paystubs for both the Debtor and non-filing spouse.

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5. Should the Debtor fail to file any or all of items a) through e) listed in Paragraph 3 on or before November 15, 2013, or fail to provide to the Chapter 13 Trustee items a) and b) listed in Paragraph 4 on or before November 15, 2013, as provided above, the Trustee may submit an Affidavit of Default and an Order Dismissing Case without further notice or hearing.
6. Thereafter, if there is any subsequent plan default, the Trustee may renew the Motion to Dismiss by letter to the Court.

STIPULATED AND AGREED TO:

/s/_____
Office of the Chapter 13 Trustee
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/s/_____
Clifton G. Owens, Attorney for Debtor(s)
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